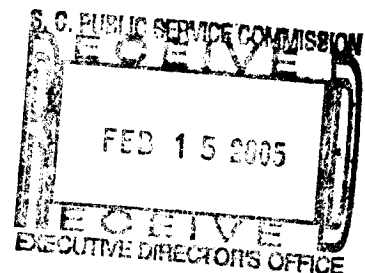


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# ELLIS:LAWHORNE

John F. Beach  
Direct dial: 803/343-1269  
[jbeach@ellislawhorne.com](mailto:jbeach@ellislawhorne.com)

February 14, 2005



The Honorable Charles L.A. Terreni  
Executive Director  
**South Carolina Public Service Commission**  
Post Office Drawer 11649  
Columbia, South Carolina 29211

RE: Generic Proceeding Established Pursuant to Commission Order No. 2004-466 to  
Address the Appropriate Rate Classification or Rate Structure for Telephone  
Lines Located in Elevators and for Telephone Lines Located in Proximity to  
Swimming Pools  
**Docket No. 2004-15-C, Our File No. 517-10290**

*2005-15-C*

Dear Mr. Terreni:

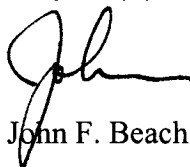
Enclosed is the original and ten (10) copies of the **Petition to Intervene** filed on  
behalf of the South Carolina Public Communications Association ("SCPCA") in the above-  
referenced docket. By copy of this letter, I am serving all parties of record and enclose my  
certificate of service to that effect.

*JFB*  
Please acknowledge your receipt of this document by file-stamping the copy of  
this letter enclosed, and returning it in the enclosed envelope.

If you have any questions or need additional information, please do not hesitate to  
contact me.

With kind regards, I am

Very truly yours,



John F. Beach

cc: Mr. Walter Rice  
all parties of record  
Enclosure

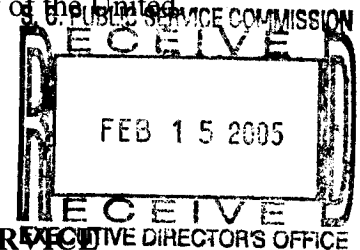
BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 2005-15-C

This is to certify that I have caused to be served this day, one (1) copy  
This is to certify that I have caused to be served this day, one (1) copy of the  
**Petition to Intervene** by placing a copy of same in the care and custody of the United States Public Service Commission

IN RE:

Generic Proceeding Established )  
Pursuant to Commission Order No. )  
2004-466 to Address the Appropriate )  
Rate Classification or Rate Structure for )  
Telephone Lines Located in Elevators )  
and for Telephone Lines Located in )  
Proximity to Swimming Pools )

**CERTIFICATE OF SERVICE**



States Postal Service (unless otherwise specified), with proper first-class postage affixed  
hereto and addressed as follows:

Office of Regulatory Staff  
Legal Department  
PO Box 11263  
Columbia SC 29211

Mr. Rufus S. Watson, Jr.  
4700 Touchey Drive, #7  
Myrtle Beach SC 29579

Mr. Stan Bugner  
**Verizon South, Inc.**  
1301 Gervais St., Suite 825  
Columbia SC 29201

Steven W. Hamm, Esquire  
**Richardson Plowden Carpenter & Robinson, PA**  
PO Box 7788  
Columbia SC 29202

  
Carol Roof

February 14, 2005  
Columbia, South Carolina

172754

**INTERVENOR**

BEFORE 4/13/05 10:30

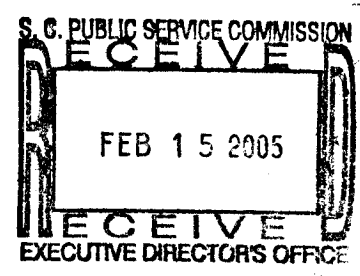
**ACCEPTED**

Legal 203 2-15-05

THE PUBLIC SERVICE COMMISSION OF

SOUTH CAROLINA

DOCKET NO. 2005-15-C



IN RE:

Generic Proceeding Established  
Pursuant to Commission Order No.  
2004-466 to Address the Appropriate  
Rate Classification or Rate Structure for  
Telephone Lines Located in Elevators  
and for Telephone Lines Located in  
Proximity to Swimming Pools

**PETITION TO INTERVENE**

The South Carolina Public Communications Association ("SCPCA" or "Petitioner") hereby petitions the South Carolina Public Service Commission (the "Commission"), pursuant to Rule 103-836 of its Rules of Practice and Procedure, to be allowed to intervene as a formal party of record in the above-captioned proceeding. In support of this Petition, Petitioner would show as follows:

1. The SCPCA is an association whose members include payphone service providers ("PSPs"), operator service providers ("OSPs"), and other telecommunications-related providers in South Carolina. The SCPCA's primary purpose is to assist its members in the responsible provision of payphone services in South Carolina. The SCPCA serves as an advocate for the payphone industry and engages in self-regulatory activities to help insure the responsible provision of payphone services to South Carolina citizens
2. On October 5, 2004, in Docket No. 2003-221-C, the Commission issued Order No. 2004-466, wherein the Commission held that a generic proceeding should be established to

RETURN DATE: OK DB Duke  
SERVICE: OK DB Duke

address the appropriate rate classification or rate structure for telephone lines located in elevators and established the generic proceeding so that the Commission may receive relevant information related to the potential impact of reclassification of these types of telephone lines, i.e., those telephone lines required by regulation or code for safety or emergency use, such as telephone lines required to be located in elevators or in proximity to swimming pools. According to the Commission, in Order No. 2004-466, relevant information on the reclassification of such telephone lines could include, inter alia, information related to reclassifying the telephone lines from business to residential or could include information on a new or separate classification for such telephone lines.

3. The Commission has issued a Notice of Filing in this matter, assigning Docket No. 2005-15-C, and noting that a public hearing has been scheduled for April 13, 2005 at 10:30 a.m.
4. Petitioner is informed and believes that one or more parties will intervene in this proceeding in conjunction with their related petition for the Commission to address the appropriate rate classification or rate structure for telephone lines required to be located in elevators or in proximity to swimming pools in South Carolina.
5. The Petitioner has a vital interest in these proceedings. The SCPCA's members provide payphone service in South Carolina. Many of the SCPCA member-payphones are used by location owners to satisfy the regulations and codes that are the subject of this proceeding.
6. At this time, the SCPCA does not possess sufficient information to form a position in this proceeding. Participation in this Docket will allow Petitioner to obtain the information

necessary to establish that position.

7. The SCPCA seeks to participate in this proceeding in order to more fully establish its position and in order to assist in addressing the important issues raised. Petitioner should therefore be permitted to intervene in this proceeding in order to participate fully and present testimony and other evidence as appropriate.
8. Petitioner's authorized representative in this proceeding is:

John F. Beach  
John J. Pringle, Jr.  
**Ellis, Lawhorne & Sims, P.A.**  
1501 Main Street, 5<sup>th</sup> Floor  
Post Office Box 2285  
Columbia, SC 29202  
(803) 779-0066, phone  
(803) 799-8479, fax

9. Petitioner requests that it be allowed to intervene in the above-captioned matter, that it be permitted to participate fully as a party of record, to present testimony, cross-examine witnesses, and assert whatever position it deems to be appropriate.

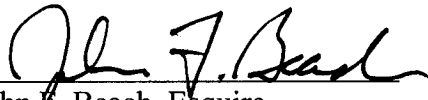
**WHEREFORE**, Petitioner prays for the following relief:

- a. That the Commission accept this Petition to Intervene and make Petitioner a party of record;
- b. That the Commission allow Petitioner to participate fully in this proceeding and take such positions as it deems advisable; and

c. For such other and further relief as is just and proper.

Respectfully submitted,

**ELLIS, LAWHORNE & SIMS, P.A.**

BY:   
John F. Beach, Esquire  
John J. Pringle, Jr., Esquire  
1501 Main Street, 5<sup>th</sup> Floor  
Post Office Box 2285  
Columbia, SC 29202  
(803) 779-0066  
Attorneys for the South Carolina Public  
Communications Association

February 14, 2005  
Columbia, South Carolina